

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STACEY SIMEON HALL,

Plaintiff,

v.

Case No. 19-11064

JASON FLORA et al.,

Defendants.

**ORDER CLARIFYING OPINION AND ORDER ADOPTING REPORTS AND
RECOMMENDATION (ECF NO. 69) AND FORMALLY DISMISSING DEFENDANTS
KYM WORTHY AND WAYNE COUNTY**

On December 12, 2019, this court entered an opinion and order adopting two reports and recommendation ("R&R") issued by Magistrate Judge Whalen. In one R&R, the Magistrate Judge recommended that the court sua sponte dismiss Defendants Kym Worthy, Stephanie Barasa, Lori Lehmen, Wayne County, and State of Michigan because the complaint contained no specific allegations against any of those Defendants. (ECF No. 30, PageID.310.) The court notes that Defendants Lehman, Barasa, and State of Michigan were dismissed by stipulated order on July 9, 2019. (ECF No. 20.) However, in its December 12, 2019 order adopting the R&Rs, the court did not specifically address the Magistrate Judge's proposed finding that Defendants Worthy and Wayne County be dismissed. The court now clarifies that Defendants Worthy and Wayne County are dismissed from this action.

As the Magistrate Judge correctly observed, the complaint contains no specific allegations against either Defendant Worthy or Wayne County. Plaintiff cannot sustain

claims against defendants he simply lists in the caption of the complaint but against whom he fails to attribute specific conduct. *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). Additionally, upon review of Plaintiff's "responses" to the R&R addressing these Defendants (ECF No. 35, 36, 37), Plaintiff offers no argument as to why Defendants Worthy and Wayne County should not be dismissed. Nor do his other filings point to a specific legal error in the analysis of the Magistrate Judge to warrant the Defendants' continued involvement in this case. See, *Andres v. Comm'r of Soc. Sec.*, 733 F. App'x 241, 244 (6th Cir. 2018) (explaining proper form of objections to reports and recommendation). Accordingly,

IT IS ORDERED that Defendants Kym Worthy and Wayne County are DISMISSED. This order does not alter the analysis or findings contained in this court's previous opinion and order adopting the R&Rs.

s/ Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 17, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 17, 2020, by electronic and/or ordinary mail.

s/ Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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